

**APPLICANT:**  
Leroy and Kelly Edmunds

**REQUEST:**  
Variance to allow an addition within the  
required 40-foot front yard setback

**HEARING DATE:** November 24, 2003

**BEFORE THE**  
**ZONING HEARING EXAMINER**  
**FOR HARFORD COUNTY**  
**BOARD OF APPEALS**  
Case No. 5378

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**ZONING HEARING EXAMINER'S DECISION**

**APPLICANT:** Leroy and Kelly Edmunds

**LOCATION:** 5 Trenton Lane (Colonial Acres subdivision), Bel Air  
Tax Map: 49 / Grid: 4D / Parcel: 680 / Lot: 107  
Third Election District

**ZONING:** R1 / Urban Residential

**REQUEST:** Variance to Section 267-36B, Table IV, of the Harford County Code, to allow an  
addition within the required 40-foot front yard setback.

**TESTIMONY AND EVIDENCE OF RECORD:**

The testimony of the Applicant, Leroy Edmunds, was that he and his wife are requesting a variance to allow them to construct an addition to their home within the 40-foot required front yard setback. The proposed addition is necessary to accommodate their family of three minor children who currently share fairly small bedrooms in this single-story rancher.

Leroy Edmunds testified that the subject property was located on a quiet cul-de-sac, with the other homes in the area being aligned in a fairly erratic pattern along the cul-de-sac. The Applicants are unable to build onto the rear of the house because of the existence of an in-ground pool.

Mr. Edmunds believes the addition will have no adverse impact on any of his adjoining neighbors. He had discussed his proposal with all of his neighbors, and none of them had any objection to the proposed use.

The proposed addition would generally conform with the existing roof pitch and its facade would closely match that of the existing structure. The Applicants would re-landscape the area once completed. There is no community association in the subdivision.

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The Harford County Department of Planning and Zoning has recommended approval. While it normally has concerns about front yard variances, the Department believes this property is unique as there is no uniform street scape along the cul-de-sac on which the subject property fronts. The houses are all angled to the street, and are not parallel. Because of the lack of an uniform street scape, the 7 foot variance should not be noticeable, and with adequate landscaping, there would be no adverse impact.

There was no testimony in opposition.

### **APPLICABLE LAW:**

The Applicants are requesting an area variance to the requirements of Section 267-36B, Table IV, of the Harford County Code.

### **FINDINGS OF FACT AND CONCLUSIONS OF LAW:**

The subject property is unique in that it is located on a residential cul-de-sac on which are located homes with an irregular orientation to the street. None of the homes are uniformly aligned along the cul-de-sac frontage. Because of this, the Applicants would suffer an unreasonable hardship if that provision of the Code which prohibited an impact of the front yard were literally enforced. No neighbors appeared in opposition.

With adequate landscaping, the granting of a variance would result in no adverse impact, and would be in conformance with the applicable provisions of the Zoning Code.

### **CONCLUSION:**

The requested variance is granted, subject to the following conditions:

1. The Applicants obtain all necessary permits and inspections.
2. The addition be constructed so as to be in general conformity with the existing roof pitch of the house.
3. That the materials used to construct, and the design of, the facade of the addition match that of the existing house.
4. That the Applicants submit to the Harford County Department of Planning and Zoning a landscaping plan, for the Department's review and approval. The landscaping shall be designed so as to minimize the impact of the proposed addition on the neighborhood and street scape.

Date: December 8, 2003

ROBERT F. KAHOE, JR.  
Zoning Hearing Examiner